GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Smt B.H.Manorama, DCTO (direct recruit ACTO of 10/99 APPSC Group-II notification) – Fixation of Seniority in the cadre of ACTO on par with other direct recruit ACTOs of the same notification who joined in the year 2001, as per the revised merit list furnished by the APPSC – Orders – Issued.

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REVENUE (COMMERCIAL TAXES-I) DEPARTMENT

G.O.RT.No. 455 Dated: 20-07-2021

Read the following:

1. Representation dated 21.10.2017 of Smt.B.H.Manorama, DCTO.
2. Judgment Dt.18-02-2015 of Hon'ble Supreme Court in IA No.56023 / 2018 in CP No.820 & 1950/2017 in C.A.No.5099 of 2006.
3. From the Secretary, APPSC, Letter No.321/RS-23B/2018, Dt.07-08-2018 addressed to the CCST, A.P.
4. From the CCST, e-office file.No.24028-2-2018 DXZ SEC-CCT & Letter from CCST, AP., Vijayawada in Ref.NO.DXZ(2)/e-file No.24028-2-2018, Dated:09.09.2020.

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ORDER:

In the reference 1st read above, Smt.B.H.Manorama, DCTO filed a representation stating that in view of the orders issued by the Hon'ble Supreme Court in Civil Appeal No.5099 of 2006 and Revised Provisional Selection results of Group-II Services (General Recruitment) under Notification No.10/1999 by the APPSC, her service and seniority may be considered in the category of ACTO and DCTO of C.T.Dept., on par with ranks obtained below her in merit list issued by the APPSC, Hyderabad with effect from panel year 2000-01.

2. The Hon'ble Supreme Court of India in its orders dated 18.02.2015 in Civil Appeal No.5099/2006 directed to fill up the rest of the posts including the posts of Municipal Commissioners Grade-III, Assistant Commercial Tax Officers, Assistant Labour Officers in executive cadre and Assistant Section Officers in non executive cadre, which are vacant, as per Presidential Order, 1975 and the Government orders is in consonance with the Presidential Order which were prevailing in the year 1999 when the advertisement was issued. The Inter se seniority between the persons appointed in the 1st round and the persons appointed afterwards in the same cadre if any, shall be decided by the appropriate authority in accordance with the rules, depending on the merit ranking obtained by them.

3. In the reference 3rd read above, the APPSC furnished the selection list of first spell of the ACTOs under Group-II services, Notification No.10/99 with Zone wise marks along with roster points.

4. In the reference 4th read above, the Chief Commissioner of State Tax, Andhra Pradesh, has submitted his remarks.

5. On verification of the record, it is noticed that Smt B.H.Manorama, DCTO was selected as ACTO vide APPSC Notification No.10/99 in the revised selection list of 10 SC candidates, in the first spell selection list of 83 ACTOs (total 104 candidates) after striking down SC categorization by Hon'ble Supreme Court of India. She has joined in Commercial Tax Department as ACTO on 17.03.2005. But, the 10 members, who were selected with conditional appointment under SC categorization, joined as ACTOs in the

P.T.O.

year 2001. Among them, some of the persons who were not affected due to revision of selection of SC candidates got consequent promotions as DCTO and CTO. Though Smt B.H.Manorama got more marks (357.088) than some of the women candidates in the SC category, she could not get posting in 2001 due to implementation of SC categorization. Consequent on striking down of SC categorization, Smt B.H.Manorama joined as ACTO in the year 2005. Therefore, Smt B.H.Manorama, DCTO has requested the Government to fix her seniority in the cadre of ACTO, on par with other direct recruit ACTOs of the same notification who joined in the year 2001, as per the revised merit list furnished by the APPSC, irrespective of her joining duty on 17.03.2005; and promote her notionally to the cadre of DCTO and thereafter as CTO on par with her juniors, duly applying Rule 33 (b) of AP State and Subordinate Service Rules, 1996.

6. Government after careful examination, hereby consider the request of Smt.B.H.Manorama, DCTO and order to fix her seniority in the cadre of ACTO, on par with other direct recruit ACTOs of the same notification No 10/99, who joined in the year 2001, as per the revised merit list furnished by the APPSC, irrespective of her date of joining in the post of ACTO, under rule 33 (b) of AP State and Sub-ordinate Service Rules 1996 in relaxation of Rule 33 (a) of Andhra Pradesh State and Sub- ordinate Service Rules.

7. The Chief Commissioner of State Tax, Andhra Pradesh shall accordingly take further necessary action in the matter by following due procedure.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada.
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// FORWARDED:: BY ORDER //

SECTION OFFICER